

From: LaFayne McCall
To: Danielle Eubanks; Marcia Waters; Yolanda Rodriguez
Date: 11/20/2007 1:49:06 PM
Subject: court assignment changes/transfers needed

This one is a little confusing because there are different codefendants, but all cases go to P court because one defendant is on probation.

F-0757125 - Escamilla, Juan - from Q to P

- F07-73346
F07-73174

He has a codefendant Danny Torres, who has a codefendant on another case - Javier Alvarez, who is on deferred probation in P court.

F-0756330 & F-0757115 - Torres, Danny - from V to P

His codefendant is Javier Alvarez and he is on probation in P court.

The following 2 cases need to be transferred:

F-0773346 & F-0773174 - Escamilla, Juan - from Q to P

These cases are already indicted.

Thanks.

LaFayne

CC: Dana Wrisner; Robin Solomon

set Jason's files

WRIT

CAUSE NO. F-0773174-XQ

THE STATE OF TEXAS

VS.

JUAN ESCAMILLA

OFFENSE: AA/DW

204TH JUDICIAL DISTRICT COURT
OF DALLAS COUNTY, TEXAS

11315

TO THE SHERIFF OF DALLAS COUNTY, TEXAS-GREETINGS:

YOU ARE HEREBY COMMANDED TO IMMEDIATELY SERVE JUAN ESCAMILLA

THE DEFENDANT IN THE ABOVE TITLED CAUSE,

WITH ACCOMPANYING CERTIFIED COPY OF THE ORIGINAL INDICTMENT IN SAID CAUSE.

WITNESS MY OFFICIAL SEAL AND SIGNATURE AT MY OFFICE IN THE CITY OF DALLAS,

THIS THE 24TH DAY OF OCTOBER A.D. 2007.

GARY FITZSIMMONS
CLERK OF THE DISTRICT COURTS
DALLAS COUNTY, TEXAS

BY

G NIMTZ

DEPUTY

OFFICER'S RETURN

CAME TO HAND ON THIS THE 30 DAY OF Oct A.D. 20 07

AND EXECUTED ON THIS THE 30 DAY OF Oct A.D. 20 07

BY DELIVERING TO THE DEFENDANT IN PERSON

THE CERTIFIED COPY OF THE INDICTMENT ATTACHED HERETO.

RETURNED ON THIS THE 30 DAY OF Oct A.D. 20 07

BY

Mcley 290 DEPUTY

SHERIFF, DALLAS COUNTY, TEXAS

ARRAIGNMENT SHEET



Book-in No. 07069345

LAI No. 899054

White

Male

09/30/1983

The State of Texas, County of Dallas

I, Candace Carlsen, of Dallas County, Texas, sitting as a Magistrate, do hereby certify that on this, the 29 day of September, 2007 at 10:43 AM, sitting at 111 Commerce, City of Dallas, Dallas County, Texas appeared JUAN. ESCAMILLA, being a person under arrest, and that I have in clear language informed the person arrested of the accusation against him and of any Affidavit filed herewith, and of his right to retain counsel, and of his right to the appointment of counsel if he is indigent and cannot afford counsel, and of his right to remain silent, and of his right to have an attorney present during any interview with peace officers or attorneys representing the State, and of his right to terminate the interview at any time, and of his right to have an examining trial.

I informed the person arrested that he does not have to make any statement at all, and that any statement made by him may be used in evidence against him on his trial for the offense concerning which the statement is made.

I informed the person arrested that reasonable time and opportunity would be allowed him to consult counsel and of his rights to bail if allowed by law.

I also informed the person arrested that if he is not a citizen of the United States that he may have the right to contact consular officials from his country and that if he is a citizen of certain countries that consular officials would be notified of this arrest without further action required on his part.

☒ The person arrested stated that he is a citizen of the United States of America

Offense(s):	Cause No.	Agency Name	Bond Amount	
AGG ASSAULT CAUSES	F0773174	Dallas Police	\$25,000.00	Cash/Sur
SERIOUS BODILY INJ				

Remanded to custody of DSO in witness whereof, I have subscribed my name
this the 29 day of September, 2007.

Candace Carlsen
Magistrate Dallas County, Texas

**DEFENDANT'S AFFIDAVIT
OF INDIGENCE**



Cause No. **F0757125**
Court **District Criminal Court No. 6**
Dallas County, Texas

The State of Texas

vs.

JUAN ESCAMILLA

Before me, the undersigned authority, of this date, personally appeared the defendant in the above styled and numbered cause, known to me to be the person whose name is subscribed hereto as affiant. The defendant, having stated that he was indigent and unable to employ counsel, was placed under oath and inquiry was made in the following factors: the defendant's income and source of income, property owned, outstanding obligations, necessary expenses, number and ages of dependents, spousal income and other matters indicating that he is in fact indigent.

The defendant then deposed and stated as follows:

On this 21 day of September, 07, I have been advised by the Court of my right to representation by counsel in the trial of the charges pending against me. I certify that I am without means to employ counsel of my own choosing, and I hereby request the Court to appoint counsel for me.

My total monthly income, including spouse's income, SSI, child support, disability or other is:

\$ _____

The total value of my assets, including house, cars, cash, stocks, bonds or other is:

\$ _____

Defendant Affiant

SUBSCRIBED AND SWORN before me, the undersigned authority, on this the 21 day of September, 07.

Magistrate

ORDER

On this the _____ day of _____, the Court, having reviewed the foregoing affidavit finds that the defendant is NOT indigent and is financially able to employ counsel.

Signed this _____ day of _____.

Judge, **District Criminal Court No. 6**
Dallas County, Texas

ORDER

On this the 26 day of Sept., 2007, the Court, having reviewed the foregoing affidavit finds the defendant is indigent and unable to employ counsel, and hereby approves the affidavit and appoints:

- (1.) The Honorable Randy Steinberg, Phone: EO 2/696-9253
- (2.) The Chief Public Defender represented by the Honorable _____
Phone: _____, a practicing attorney of this state to represent the defendant in said causes.

Signed this 26 day of Sept, 2007.

Judge, **District Criminal Court No. 6**
Dallas County, Texas

Did not receive notice from transferring ct. until 9-24.

JS

DEFENDANT Escamilla, Juan W M 09301983 CHARGE AA/DW/2nd

AKA:

ADDRESS 4045 Weisenberger, Dallas, Tx LOCATION UNKNOWN

FILING AGENCY TXDPD0000 DATE FILED September 18, 2007 COURT JDC204

COMPLAINANT Gallegos, Francisco F-0773174 VT#:

C/C

TRUE BILL INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of
Dallas County, State of Texas, duly organized at the October Term, A.D., 2007 of the
Criminal District Court 6, Dallas County, in said Court at said

Term, do present that one **ESCAMILLA, JUAN**, Defendant,

On or about the 18 th day of August A.D., 2007 in the County of Dallas and said State, did

unlawfully then and there intentionally, knowingly and recklessly cause bodily injury to FRANCISCO GALLEGOS, hereinafter called complainant, by STRIKING COMPLAINANT WITH A FIREARM, and said defendant did use and exhibit a deadly weapon, to-wit: a FIREARM, during the commission of the assault,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth in the first paragraph above, the said defendant was convicted of a felony offense of UNLAWFULL POSSESSION OF A FIREARM BY FELON, on the 3RD day of FEBRUARY, 2004, A.D., in Case Number F03-34671 on the docket of 204TH JUDICIAL DISTRICT COURT, of DALLAS County, Texas under the name of JUAN ESCAMILLA and said conviction was a final conviction,

against the peace and dignity of the State.

CRAIG WATKINS

Criminal District Attorney of Dallas County, Texas

W. J. Parag, Jr.

Foreman of the Grand Jury.

COURT

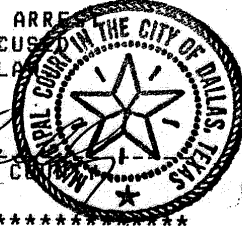
SUSPECT JUAN ESCAMILLA COMITTED THE OFFENSE OF AGGRAVATED ASSAULT WITH A DEADLY WEAPON AGAINST THE COMPLAINANT FRANCISCO GALLEGOS BY INTENTIONALLY HITTING HIM IN THE HEAD WITH A HANDGUN AND CAUSING

DALLAS POLICE DEPARTMENT
ID#: SERVICE#: 0630140 T
DA/WARRANT#: ARREST#: CHARGE#:

***** NARRATIVE INFORMATION *****
MULTIPLE LACERATIONS AND A SKULL FRACTURE.

J. McHugh
AFFIANT

WHEREFORE AFFIANT REQUESTS THAT AN ARREST
WARRANT BE ISSUED FOR THE ABOVE ACCUSED
INDIVIDUAL IN ACCORDANCE WITH THE LAW



SUBSCRIBED AND SWORN TO BEFORE ME ON
DATE: SEP 5 2007

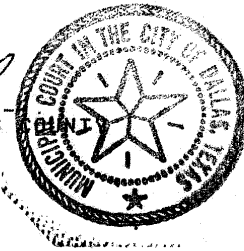
John J. McCull
MAGISTRATE, IN AND FOR DALLAS COUNTY
TEXAS

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

ON THIS DATE: SEP 5 2007

I HEREBY ACKNOWLEDGE THAT I HAVE EXAMINED
THE FOREGOING AFFIDAVIT AND HAVE DETERMINED
THAT PROBABLE CAUSE EXISTS FOR ISSUANCE OF
AN ARREST WARRANT FOR THE INDIVIDUAL ACCUSED
THEREIN.

John J. McCull
MAGISTRATE, IN AND FOR DALLAS COUNTY
TEXAS



ARRAIGNMENT SHEET



Book-in No. 07069345

LAI No. 899054

White

Male

09/30/1983

The State of Texas, County of Dallas

I, Katherine Miracle, of Dallas County, Texas, sitting as a Magistrate, do hereby certify that on this, the 21 day of September, 2007 at 1:15 AM, sitting at 111 Commerce, City of Dallas, Dallas County, Texas appeared JUAN ESCAMILLA, being a person under arrest, and that I have in clear language informed the person arrested of the accusation against him and of any Affidavit filed herewith, and of his right to retain counsel, and of his right to the appointment of counsel if he is indigent and cannot afford counsel, and of his right to remain silent, and of his right to have an attorney present during any interview with peace officers or attorneys representing the State, and of his right to terminate the interview at any time, and of his right to have an examining trial.

I informed the person arrested that he does not have to make any statement at all, and that any statement made by him may be used in evidence against him on his trial for the offense concerning which the statement is made.

I informed the person arrested that reasonable time and opportunity would be allowed him to consult counsel and of his rights to bail if allowed by law.

I also informed the person arrested that if he is not a citizen of the United States that he may have the right to contact consular officials from his country and that if he is a citizen of certain countries that consular officials would be notified of this arrest without further action required on his part.

☒ The person arrested stated that he is a citizen of the United States of America

Offense(s):

AGG ROBBERY

Cause No.

F0757125

Agency Name

Dallas County Sheriff

Bond Amount

\$100,000.00 Cash/Sur

Handwritten: F07-73174
Signature: R. [unclear]

Remanded to custody of DSO in witness whereof, I have subscribed my name
 this the 21 day of September, 2007.

Magistrate

Dallas County, Texas

**INSTRUCTIONS RELATING TO
PRELIMINARY INITIAL APPEARANCE**



Cause No. **F0757125**
Offense: **AGG ROBBERY**

The State of Texas

vs.

JUAN ESCAMILLA

On this date appeared **JUAN ESCAMILLA**, hereafter referred to as defendant, who makes his initial appearance in connection with the above numbered cause. At this appearance a hearing was held, at which the following took place:

1. Defendant was informed as provided in Art. 15.17 CCP.
2. Bail was set in the amount of \$ **\$100,000.00**
3. All felony charges associated with this arrest are assigned to and shall be filed in **Jeanine Howard** Court, **District Criminal Court No. 6**
4. Defendant is instructed to appear with counsel, in the above named Court at 9:00 AM on _____

Copies of these instructions served on defendant and transporting officer on this **21** day of **September**, 20 **07**.

JS

DEFENDANT Escamilla, Juan B M 09301983 CHARGE AA/DW2ND

AKA:

ADDRESS 4746 Maybeth, Dallas, Tx LOCATION UNKNOWN

FILING AGENCY TXDPD0000 DATE FILED October 10, 2007 COURT JDC204

COMPLAINANT Tunyants, Armen F-0773346 VT#:

C/C

TRUE BILL INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of
Dallas County, State of Texas, duly organized at the October Term, A.D., 2007 of the
Criminal District Court 6, Dallas County, in said Court at said

Term, do present that one ESCAMILLA, JUAN, Defendant,

On or about the 1st day of September A.D., 2007 in the County of Dallas and said State, did

unlawfully then and there intentionally and knowingly threaten ARMEN TUNYANTS with imminent
bodily injury, and said defendant did use and exhibit a deadly weapon, to-wit: a FIREARM, during the
commission of the assault,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth
in the first paragraph above, the said defendant was convicted of a felony offense of UNLAWFUL
POSSESSION OF A FIREARM FELON, on the 3RD day of FEBRUARY, 2004, A.D., in Case Number
F03-34671 on the docket of 204TH JUDICIAL DISTRICT COURT, of DALLAS County, Texas under
the name of JUAN ESCAMILLA and said conviction was a final conviction,

against the peace and dignity of the State.

CRAIG WATKINS

Criminal District Attorney of Dallas County, Texas

W. J. Quigley, Jr.

Foreman of the Grand Jury.

COURT

Dallas County, Texas

ID#:

Warrant Number:

Suspect Name:

ESCAMILLA, JUAN

617

Service#:

645977T

Arrest#:

Charge:

AGG ASSAULT

AFFIDAVIT FOR ARREST WARRANT	COUNTY OF DALLAS	STATE OF TEXAS
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Before me, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated: my name is J. McNulty and I am a peace officer of the City of Dallas, Dallas County, Texas. I, the affiant, have good reason and do believe that on or about **9/1/07** one **ESCAMILLA, JUAN** did then and there in the City of Dallas, Dallas County, Texas commit the offense of **AGG ASSAULT**, a violation of section **22.02** of the Texas Penal Code, a **F/2**.

Affiants belief is based upon the following facts and information:

 Affiant's personal investigation of this alleged offense.

E. LUJAN #7375, a fellow peace officer of the City of Dallas, Dallas County, Texas, who personally participated in the investigation of this alleged offense, providing this information to affiant, and whose information affiant believes to be credible.

On September 1, 2007, at about 3:40pm suspect Juan Escamilla committed the criminal act of Aggravated Assault at 3301 Singleton Blvd, Dallas, Dallas County, Texas. The facts of the case are:

Complainant ArmenTunyants is witness Suren Tunyants 4-year-old son. Witness stated to reporting officers that the complainant and him were leaving a Mexican restaurant located at 3301 Singleton Blvd when he was robbed at gunpoint. Witness Suren Tunyants stated that a unknown Latin male suspect approximately 18 years old, with a large tattoo on the back of his neck pointed a black machine gun towards the complainant. The suspect stated to the witness, "don't move or I'll shoot". The weapon was pointed at the complainant and placed the complainant in fear of serious bodily injury. The suspect then pointed the assault rifle towards the witness. The unknown Latin male suspect was later identified as suspect Juan Escamilla yelled at the witness and stated, "give me your wallet puto. The unknown Latin male suspect then grabbed a red moneybag from complainant's right arm and the suspect fled the location on foot. The total property stolen from the witness was \$845.00 in property. No property was stolen from the complainant. The witness followed the suspect to a red 2 door Ford Mustang, Texas license plate #753HBT. Suspect Escamilla entered the front right passenger seat of the red mustang and the witness stated he could see two other Latin male suspects in the red Ford Mustang. The driver of the Ford mustang was later identified as suspect Danny Torres and the rear passenger suspect was

Dallas County, Texas

ID#:

Warrant Number:

Suspect Name:

ESCAMILLA, JUAN

618
Service#:

645977T

Arrest#:

Charge:

AGG ASSAULT

identified as suspect Alberto Aguilar. Witness Tunyants stated he called the police and gave the reporting officers a suspect's description. The witness stated he was in fear of his life and the life of his son. The complainant cried after the suspect fled the location.

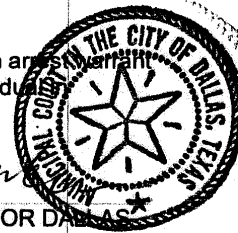
The Reporting Officers checked the vehicle registration and the came back registered to 1819 Homeland St Dallas Texas. Reporting Officers went to 1819 Homeland St and observed the red Mustang driving through the street. Reporting Officers attempted to stop the red Ford Mustang but were unable to stop it. Reporting Officers found the red Ford Mustang abandoned at 3340 Brantly. The Reporting Officers obtained the suspects names from their mother who lives at 1819 Homeland St. The suspect's vehicle was towed to the city pound. On September 20, 2007 the complainant came to the Northwest Investigative Unit and was shown a 6-photo lineup by Detective E. Lujan. The witness positively identified suspect Juan Escamilla as the suspect who pointed an assault rifle at him and son and stole his property. The complainant and the witness do not know the suspects and no property was recovered.

J. me huy
AFFIANT

WHEREFORE Affiant requests that an arrest warrant be issued for the above accused individual in accordance with the law.

SUBSCRIBED AND SWORN BEFORE ME on
the day of SEP 25 2007 20

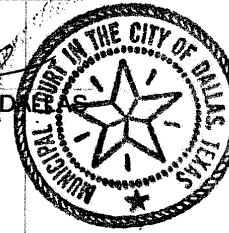
Rever
MAGISTRATE, IN AND FOR DALLAS
COUNTY, TEXAS



MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the day of SEP 25 2007
20, I hereby acknowledge that I have
examined the foregoing affidavit and have
determined that reasonable cause exists for
issuance of an arrest warrant for the
individual accused therein.

Rever
MAGISTRATE, IN AND FOR DALLAS
COUNTY, TEXAS



Dallas County, Texas

ID#:

Warrant Number:

Suspect Name:

ESCAMILLA, JUAN

619

Service#:

642596T

Arrest#:

Charge:

AGG ROBBERY

AFFIDAVIT FOR ARREST WARRANT	COUNTY OF DALLAS	STATE OF TEXAS
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Before me, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated: my name is 738 and I am a peace officer of the City of Dallas, Dallas County, Texas. I, the affiant, have good reason and do believe that on or about 9/1/07 one ESCAMILLA, JUAN did then and there in the City of Dallas, Dallas County, Texas commit the offense of AGG ROBBERY, a violation of section 29.03 of the Texas Penal Code, a F/1.

Affiants belief is based upon the following facts and information:

Affiant's personal investigation of this alleged offense.

E. LUJAN #7375, a fellow peace officer of the City of Dallas, Dallas County, Texas, who personally participated in the investigation of this alleged offense, providing this information to affiant, and whose information affiant believes to be credible.

On September 1, 2007, at about 3:40pm suspect Danny Torres and Juan Escamilla committed the criminal act of Aggravated Robbery at 3301 Singleton Blvd, Dallas, Dallas County, Texas. The facts of the case are:

Complainant Suren Tunyants is witness Armen Tunyants father. Witness Suren Tunyants is 4 years old. Complainant stated to reporting officers that he and son were leaving a Mexican restaurant located at 3301 Singleton Blvd when he was robbed at gunpoint. Complainant Suren Tunyants stated that a unknown Latin male suspect approximately 18 years old, with a large tattoo on the back of his neck pointed a black machine gun towards him and the witness and demanded complainant's property. The unknown Latin male suspect was later identified as suspect Juan Escamilla yelled at the complainant and stated, "give me your wallet puto". The unknown Latin male suspect then grabbed a red moneybag from complainant's right arm and the suspect fled the location on foot. The total property stolen from the complainant was \$845.00 in property. No property was stolen from the witness. The complainant followed the suspect to a red 2 door Ford Mustang, Texas license plate #753HBT. The unknown Latin male suspect entered the front right passenger seat of the red mustang. The complainant stated he could also see there were two other Latin male suspects in the red Ford Mustang. The driver of the Ford mustang was later identified as suspect Danny Torres. The third Latin male suspect has not been identified. Complainant stated he then called the police and gave the reporting officers a suspect's description.

Dallas County, Texas

ID#:

Warrant Number:

Suspect Name:

ESCAMILLA, JUAN

Vice#:

642596T

Arrest#:

Charge:

AGG ROBBERY

The Reporting Officers checked the vehicle registration and the came back registered to 1819 Homeland St Dallas Texas. Reporting Officers went to 1819 Homeland St and observed the red Mustang driving through the street. Reporting Officers attempted to stop the red Ford Mustang but were unable to stop it. Reporting Officers found the red Ford Mustang abandoned at 3340 Brantly. The Reporting Officers obtained the suspects names from their mother who lives at 1819 Homeland St. The suspect's vehicle was towed to the city pound. On September 5, 2007 complainant came to the Northwest Investigative Unit and Detective E. Lujan #7375 showed complainant a 6-photo lineup of the suspects. Complainant positively identified suspect Torres as the driver the red Ford Mustang. On September 20, 2007 the complainant came to the Northwest Investigative Unit and was shown a 6 photo lineup by Detective E. Lujan. The complainant positively identified suspect Juan Escamilla as the suspect who pointed an assault rifle at him and son and stole his property. The complainant does not know the suspects and no property was recovered.

E. Lujan 7375
AFFIANT

WHEREFORE Affiant requests that an arrest warrant be issued for the above accused individual in accordance with the law.

SUBSCRIBED AND SWORN BEFORE ME on
the 20 day of September 2007

[Signature]
MAGISTRATE, IN AND FOR DALLAS
COUNTY, TEXAS

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 20 day of September 2007, I hereby acknowledge that I have examined the foregoing affidavit and have determined that reasonable cause exists for issuance of an arrest warrant for the individual accused therein.

[Signature]
MAGISTRATE, IN AND FOR DALLAS
COUNTY, TEXAS

MC

DEFENDANT Escamilla, Juan W M 09301983 CHARGE AGG ROB DW
AKA:
ADDRESS 4746 Maybeth, Dallas, TX LOCATION DSO
FILING AGENCY TXDPD0000 DATE FILED September 26, 2007 COURT JDC203
COMPLAINANT Tunyants, Suren F-0757125 VT#:
C/C Danny Torres

TRUE BILL INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of
Dallas County, State of Texas, duly organized at the July Term, A.D., 2007 of the
292nd Judicial District Court, Dallas County, in said Court at said

Term, do present that one ESCAMILLA, JUAN, Defendant,

On or about the 1 st day of September A.D., 2007 in the County of Dallas and said State, did

unlawfully then and there while in the course of committing theft and with intent to obtain and maintain control of the property of SUREN TUNYANTS, hereinafter called complainant, the said property being CURRENT MONEY OF THE UNITED STATES OF AMERICA AND A SET OF KEYS, without the effective consent of the said complainant and with intent to deprive the said complainant of said property, did then and there intentionally and knowingly threaten and place the said complainant in fear of imminent bodily injury and death, and the defendant did then and there use and exhibit a deadly weapon, to-wit: a FIREARM,

against the peace and dignity of the State.

CRAIG WATKINS
Criminal District Attorney of Dallas County, Texas

Anita Olson
Foreman of the Grand Jury.

COURT

NO. F-0156220-PS

THE STATE OF TEXAS

IN THE 282ND JUDICIAL DISTRICT

VS.

**** STATE JAIL ****

COURT

OF

JUAN ESCAMILLA

DALLAS COUNTY, TEXAS

JUDGMENT ADJUDICATING GUILT
REFERRAL TO MAGISTRATE

JULY

TERM, A.D., 2002

MAGISTRATE: STEVE HALSEY

JUDGE PRESIDING: KAREN J. GREENE

DATE OF JUDGMENT: 09/26/02

ATTORNEY
FOR STATE: KERRI NEWATTORNEY
FOR DEFENDANT: TOM GRETTOFFENSE
CONVICTED OF: EVADING ARREST-DETENTION FACILITY USING VEHICLE, PREVIOUS
CONVICTION

DEGREE: STATE JAIL

DATE OFFENSE COMMITTED: 09/21/01

TERMS AND CONDITIONS VIOLATED AND
GROUNDS FOR ADJUDICATION

SEE ATTACHED MOTION TO ADJUDICATE

AS SET OUT IN STATES SEPTEMBER 13, 2002 MOTION TO ADJUDICATE GUILT

TERMS OF NEGOTIATED
PLEA BARGIN: 240 DAYS STATE JAIL, FINE \$0NEGOTIATED AGREEMENT
FOLLOWED: YESPLEA TO ENHANCEMENT
PARAGRAPH(S): N/AFINDINGS ON
ENHANCEMENT: N/AFINDINGS ON
DEADLY WEAPON,
BIAS OR PREJUDICE,
AND/OR
FAMILY VIOLENCE: NO FINDINGPUNISHMENT AND
PLACE OF
CONFINEMENT: 240 DAYS
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE
AND A FINE OF -- 0 -- DATE TO
COMMENCE: 09/26/02DATE OF
SENTENCE: 09/26/02

COSTS: YES

TIME CREDITED: 10/3/01-11/28/01; 7/27/02-9/26/02

RESTITUTION/REPARATION: NO

CONCURRENT UNLESS OTHERWISE SPECIFIED.

SS

VOL. 454 PAGE 77

ON THIS DAY, SET FORTH ABOVE, THE ABOVE-NAMED AND NUMBERED CAUSE HAVING BEEN LIT AND LEGAL REFERENCE TO A MAGISTRATE OF THE DISTRICT COURTS OF DALLAS COUNTY THAT GIVE REFERENCE TO CRIMINAL CASES AND THE CRIMINAL DISTRICT COURTS OF DALLAS COUNTY, TEXAS, CAME ON TO BE HEARD PURSUANT TO A NEGOTIATED PLEA AS REFLECTED ABOVE. DEFENDANT, WITH HIS ABOVE-NAMED ATTORNEY APPEARED IN OPEN COURT, WHERE DEFENDANT WAS NOT REPRESENTED BY COUNSEL, DEFENDANT KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THE RIGHT OF REPRESENTATION BY COUNSEL. THE COMMUNITY SUPERVISION OFFICER OF DALLAS COUNTY, TEXAS, ALSO APPEARED IN OPEN COURT, AND AFTER EXAMINING THE REPORT OF SAID COMMUNITY SUPERVISION OFFICER AND THE MOTION TO PROCEED WITH AN ADJUDICATION OF GUILT FILED HEREIN AND AFTER HEARING THE EVIDENCE OFFERED BY BOTH THE STATE AND DEFENDANT, THE MAGISTRATE WAS OF THE OPINION AND FOUND THAT SINCE DEFENDANT WAS PLACED ON COMMUNITY SUPERVISION HEREIN DEFENDANT HAS VIOLATED THE TERMS AND CONDITIONS OF HIS COMMUNITY SUPERVISION AS SHOWN ABOVE, AND ALSO FOUND THAT DEFENDANT'S GUILT SHOULD BE ADJUDICATED. THE MAGISTRATE THEN HEARD ANY ADDITIONAL TESTIMONY AND ARGUMENTS ON THE ISSUE OF PUNISHMENT AND FURTHER MADE FINDINGS AS TO DEADLY WEAPON, FAMILY VIOLENCE, BIAS OR PREJUDICE, AND RESTITUTION AS SHOWN ABOVE.

THEREUPON DEFENDANT WAS ASKED BY THE MAGISTRATE WHETHER HE HAD ANYTHING TO SAY WHY SAID SENTENCE SHOULD NOT BE PRONOUNCED AGAINST HIM, AND HE ANSWERED NOTHING IN BAR THEREOF, AND IT APPEARING TO THE MAGISTRATE THAT DEFENDANT IS MENTALLY COMPETENT AND UNDERSTANDING OF THE PROCEEDINGS, THE MAGISTRATE PROCEEDED, IN THE PRESENCE OF SAID DEFENDANT, HIS COUNSEL ALSO BEING PRESENT, TO PRONOUNCE SENTENCE AGAINST HIM.

AND WHEN SHOWN ABOVE THAT THE CHARGING INSTRUMENT CONTAINS ENHANCEMENT PARAGRAPH(S), WHICH WERE NOT WAIVED OR DISMISSED, THE MAGISTRATE, AFTER HEARING THE DEFENDANT'S PLEA TO SAID PARAGRAPH(S) AS SET OUT ABOVE MADE HIS FINDING AS SET OUT ABOVE. IF TRUE, THE MAGISTRATE WAS OF THE OPINION AND FOUND THAT THE DEFENDANT HAS BEEN HERETOFORE CONVICTED OF SAID OFFENSE(S) ALLEGED IN SAID ENHANCEMENT PARAGRAPH(S).

THE COURT HAS REVIEWED THE PAPERS OF THIS CAUSE ALONG WITH THE FINDINGS, ACTIONS, AND RECOMMENDATIONS OF THE MAGISTRATE IN THIS CAUSE, FINDS THAT THE TERMS OF THE NEGOTIATED PLEA AGREEMENT IN THIS CAUSE HAVE BEEN FOLLOWED AND HEREBY APPROVES AND ADOPTS ALL ACTIONS AND FINDINGS OF THE MAGISTRATE IN THIS CAUSE.

AND WHEN IT IS SHOWN BELOW THAT PAYMENT OF THE COSTS OF LEGAL SERVICES PROVIDED TO THE DEFENDANT IN THIS CAUSE HAS BEEN ORDERED, THE MAGISTRATE FOUND AND THE COURT APPROVED THE FINDING THAT THE DEFENDANT HAS THE FINANCIAL RESOURCES TO ENABLE THE DEFENDANT TO OFFSET SAID COSTS IN THE AMOUNT ORDERED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT THAT THE ORDER DEFERRING ADJUDICATION OF GUILT, AND PLACING DEFENDANT ON COMMUNITY SUPERVISION HERETOFORE ENTERED IN THIS CAUSE BE, AND THE SAME IS HEREBY SET ASIDE AND OF NO FURTHER FORCE AND EFFECT.

IT IS THEREFORE CONSIDERED AND ADJUDGED BY THE COURT, THAT THE SAID DEFENDANT IS GUILTY OF THE COMMISSION OF THE OFFENSE NAMED ABOVE AND THAT THE OFFENSE WAS COMMITTED ON THE DATE SHOWN ABOVE AND THE DEFENDANT BE PUNISHED BY CONFINEMENT IN THE STATE JAIL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE FOR THE ABOVE SPECIFIED TIME, AND A FINE IN THE AMOUNT SET FORTH ABOVE, AND THAT THE STATE OF TEXAS DO HAVE AND RECOVER OF DEFENDANT ALL COSTS IN THIS PROSECUTION EXPENDED, FOR WHICH LET EXECUTION ISSUE, AND THAT SAID DEFENDANT BE SENTENCED IN ACCORDANCE WITH SAID ASSESSMENT OF PUNISHMENT.

IT IS THE ORDER OF THE COURT, THAT THE SAID DEFENDANT, WHO HAS BEEN ADJUDGED TO BE GUILTY OF THE ABOVE-NAMED OFFENSE AND WHOSE PUNISHMENT HAS BEEN ASSESSED BY THE COURT AS SHOWN ABOVE BE DELIVERED BY THE SHERIFF OF DALLAS COUNTY, TEXAS, TO THE DIRECTOR OF THE STATE JAIL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE OR OTHER PERSON LEGALLY AUTHORIZED TO RECEIVE SUCH CONVICTS, AND SAID DEFENDANT SHALL BE CONFINED IN SAID INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE FOR THE ABOVE-SPECIFIED TIME IN ACCORDANCE WITH THE PROVISIONS OF THE LAW GOVERNING THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND DEFENDANT IS REMANDED TO JAIL UNTIL SAID SHERIFF CAN OBEY THE DIRECTION OF THIS SENTENCE. IT IS FURTHER ORDERED THAT DEFENDANT PAY THE FINE, COURT COSTS,

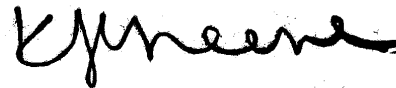
WHEN IT IS SHOWN ABOVE THAT RESTITUTION HAS BEEN ORDERED, BUT THE MAGISTRATE FOUND THE INCLUSION OF THE VICTIM'S NAME AND ADDRESS IN THE JUDGMENT IS NOT IN THE BEST INTEREST OF THE VICTIM, SUCH FINDING IS HEREBY APPROVED BY THE COURT, AND THE PERSON OR AGENCY WHOSE NAME AND ADDRESS IS SET OUT IN THIS JUDGMENT WILL ACCEPT AND FORWARD THE RESTITUTION PAYMENTS TO THE VICTIM.

DEFENDANT IS HEREBY ORDERED REMANDED TO JAIL UNTIL SAID SHERIFF CAN OBEY THE DIRECTIONS OF THIS JUDGMENT.

FOLLOWING THE DISPOSITION OF THIS CAUSE THE DEFENDANT'S FINGERPRINT WAS, IN OPEN COURT, PLACED UPON A CERTIFICATE OF FINGERPRINT. SAID CERTIFICATE IS ATTACHED HERETO AND IS INCORPORATED BY REFERENCE AS A PART OF THIS JUDGMENT.

WHEN REQUIRED, A PRESENTENCE INVESTIGATION WAS CONDUCTED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF LAW.

COURT COSTS IN THE AMOUNT OF - 0 -



JUDGE PRESIDING

*Immediately upon release, defendant must report in person to the Felony Collections Dept., 2nd fl., Rm. C2-3, Crowley Courts Bldg., Dallas, TX, for payment arrangement of court ordered costs, fines and/or attorney fees.

625
JUDGMENT

CERTIFICATE OF THUMBPRINT

CAUSE NO. F01-57490-5

THE STATE OF TEXAS

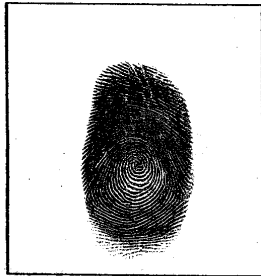
IN THE 282nd

VS.

DISTRICT COURT

JUAN Escamilla

DALLAS COUNTY, TEXAS



Right
Thumb*



Defendant's RT hand

THIS IS TO CERTIFY THAT THE FINGERPRINTS ABOVE ARE THE ABOVE-NAMED DEFENDANT'S FINGERPRINTS TAKEN AT THE TIME OF DISPOSITION OF THE ABOVE STYLED AND NUMBERED CAUSE.

DONE IN COURT THIS 26 DAY OF September, 2002.

BAILIFF/DEPUTY SHERIFF

*Indicate here if print other than defendant's right thumbprint is placed in box:

- ☐ left thumbprint ☐ left/right index finger
- ☐ other, _____